

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Peter Acosta,

Case No. 24-CV-01693 (JMB/ECW)

Petitioner,

v.

ORDER

B. Eischen, *et all.*,

Respondent.

Peter Acosta, Duluth, MN, self represented.

Ana H. Voss and Emily M. Peterson, United States Attorney's Office, Minneapolis, MN,
for Respondent B. Eischen.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Elizabeth Cowan Wright dated March 7, 2025. (Doc. No. 16.) The R&R recommends that Petitioner Peter Acosta's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 be dismissed on grounds that Acosta had not exhausted his administrative remedies prior to filing his Petition and that, even if he had properly exhausted his administrative remedies, his Petition lacked merit. (*See id.*) Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-

captioned matter, IT IS HEREBY ORDERED THAT:

1. Peter Acosta's Petition for Writ of Habeas Corpus (Doc. No. 1) is DENIED.
2. The R&R (Doc. No. 16) is ADOPTED.
3. The Court dismisses this action without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 10, 2025

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court